

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Horry County
Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No: 2016-001153

THE STATE,

v.

KENNETH RAY BOYNTON,

RECEIVED
JUL 07 2017
SC Court of Appeals
Respondent,

Appellant.

MOTION TO SERVE AND FILE A SUPPLEMENTAL RECORD ON APPEAL

Respondent herein seeks to supplement the Record on Appeal, pursuant to Rule 210, SCACR, on the following grounds.

I.

While attempting to prepare the Final Brief of Respondent, Respondent discovered that the March 10, 2016 Motion to Reconsider Termination, March 10, 2016 Motion to Reconsider Sentence and the Supreme Court Order issued November 19, 2014 had not been designated. The undersigned counsel submits that these motions and order are necessary and useful to this Court's full and complete understanding of the issues involved in this appeal.

II.

Respondent has prepared the Supplemental Record on Appeal to include these particular

documents.

WHEREFORE, having made Motion to Supplement the Record on Appeal, Respondent would respectfully request this Court to grant the Motion to include the March 10, 2016 Motion to Reconsider Termination, March 10, 2016 Motion to Reconsider Sentence and the Supreme Court Order issued November 19, 2014 and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General
S.C. Bar No: 8729

BY:


J. BENJAMIN APLIN

Office of the Attorney General
Post Office Box 11549
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(803) 734-3727

ATTORNEYS FOR RESPONDENT

July 7, 2017

STATE OF SOUTH CAROLINA
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THE STATE,

Respondent,

v.

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Appellant.

PROOF OF SERVICE

I, Angela Bennett, certify that I have served the Supplemental Record on Appeal and Motion to Serve and File a Supplemental Record on Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record Robert M. Pachak, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589.

I further certify that all parties required by Rule to be served have been served.

This 7th day of July, 2017.



ANGELA BENNETT
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

July 7, 2017

Robert M. Pachak, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

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SC Court of Appeals

Re: The State v. Kenneth Ray Boynton
Appellate Case No: 2016-001153

Dear Mr. Pachak:

Enclosed please find two (2) copies of the Motion to Serve and File a Supplemental Record on Appeal along with proof of service in the above-referenced case.

Sincerely,

J. Benjamin Aplin
Senior Assistant Deputy Attorney General
S.C. Bar No: 8729

JBA/ab

Enclosures

cc: The Honorable Jenny A. Kitchings
Ms. Trisha Allen - with enclosure